

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

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TO SECSTATE WASHDC 7839

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E.O. 11652: N/A

TAGS: EGEN, ELAB, PO

SUBJECT: FURTHER COMMENTARY ON RECENT LABOR LEGISLATION

REFS: A) LISBON 4589

B) LISBON 4671

C) LISBON 4656

1. WORKER "CONTROL." GOP OFFICIAL WHO HELPED PREPARE WORKER "CONTROL" DECREE, WHICH COUNCIL OF MINISTERS APPROVED ON JULY 7 (REF A), TOLD US GOP HAD NOT REPEAT NOT INTENDED TO APPLY DECREE TO FOREIGN-OWNED ENTERPRISES. QUESTION, HOWEVER, NOW APPEARS ACADEMIC SINCE DECREE WAS NOT PUBLISHED IN THE DIARIO DA REPUBLICA, REPORTEDLY BECAUSE PRESIDENT COSTA GOMES REFUSED TO SIGN IT. ISSUE MUST NOW BE DEBATED IN ASSEMBLY OF THE REPUBLIC.

2. REDUCTION OF WORK WEEK (DECREE-LAW 530/76). REF C COMMENTED THAT APPLICATION OF THIS DECREE REQUIRED THE APPROVAL OF WORKERS IN THE AFFECTED COMPANIES. SUBSEQUENT DISCUSSIONS INDICATE THAT WORKERS' APPROVAL MAY NOT BE NECESSARY. INTERPRETATION DEPENDS UPON TRASLATION OF THE PORTUGUESE WORD "PARECER". EMBASSY INTERPRETED LIMITED OFFICIAL USE

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THAT WORD TO MEAN "APPROVAL", BUT NARROW TRANSLATION

WOULD MORE APPROPRIATELY BE "OPINION" OR "VIEWPOINT."
IT IS POSSIBLE THAT A ACHANGE IN POLITICAL CLIMATE AND IN
MINISTRY OF LABOR PERSONNEL WOULD PERMIT GOP TO APPLY THIS
NARROW TRANSLATION. IN SUCH A CASE, MINISTRY OF LABOR
COULD CONCEIVABLY IMPOSE ITS WILL DESPITE OPPOSITION FROM
THE AFFECTED WORKERS. DEPENDING UPON ITS IMPLEMENTATION,
THEREFORE, THIS LEGISLATION COULD BECOME A MAJOR TOOL
FOR RESOLVING THE FINANCIAL PROBLEMS OF NUMEROUS PRIVATE
AND PUBLIC SECTOR COMPANIES. CONSIDERING ITS POTENTIAL
IMPORTANCE, DECREE HAS RECEIVED SURPRISINGLY LITTLE PRESS
ATTENTION OR COMMENT.
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